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HOUSE BILL 2050

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Scott and Costa

Read first time 02/24/95. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the sale of malt liquor in kegs; and amending  
2 RCW 66.24.400, 66.28.200, and 66.28.220.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 66.24.400 and 1987 c 196 s 1 are each amended to read  
5 as follows:

6 There shall be a retailer's license, to be known and designated as  
7 class H license, to sell spirituous liquor by the individual glass,  
8 beer, and wine, at retail, for consumption on the premises, including  
9 mixed drinks and cocktails compounded or mixed on the premises only:  
10 PROVIDED, That a hotel, or club licensed under chapter 70.62 RCW with  
11 overnight sleeping accommodations, that is licensed under this section  
12 may sell liquor by the bottle to registered guests of the hotel or club  
13 for consumption in guest rooms, hospitality rooms, or at banquets in  
14 the hotel or club: PROVIDED FURTHER, That a patron of a bona fide  
15 hotel, restaurant, or club licensed under this section may remove from  
16 the premises recorked or recapped in its original container any portion  
17 of wine which was purchased for consumption with a meal, ((and))  
18 registered guests who have purchased liquor from the hotel or club by  
19 the bottle may remove from the premises any unused portion of such

1 liquor in its original container, and malt liquor in untapped kegs may  
2 be purchased and removed from the premises. Such class H license may  
3 be issued only to bona fide restaurants, hotels and clubs, and to  
4 dining, club and buffet cars on passenger trains, and to dining places  
5 on passenger boats and airplanes, and to dining places at publicly  
6 owned civic centers with facilities for sports, entertainment, and  
7 conventions, and to such other establishments operated and maintained  
8 primarily for the benefit of tourists, vacationers and travelers as the  
9 board shall determine are qualified to have, and in the discretion of  
10 the board should have, a class H license under the provisions and  
11 limitations of this title.

12 **Sec. 2.** RCW 66.28.200 and 1993 c 21 s 2 are each amended to read  
13 as follows:

14 Licensees holding a class A or B license in combination with a  
15 class E license, and licensees holding a class H license may sell malt  
16 liquor in kegs or other containers capable of holding four gallons or  
17 more of liquid. Any person who sells or offers for sale the contents  
18 of kegs or other containers containing four gallons or more of malt  
19 liquor, or leases kegs or other containers that will hold four gallons  
20 of malt liquor, to consumers who are not licensed under chapter 66.24  
21 RCW shall do the following for any transaction involving the container:

22 (1) Require the purchaser of the malt liquor to sign a declaration  
23 and receipt for the keg or other container or beverage in substantially  
24 the form provided in RCW 66.28.220;

25 (2) Require the purchaser to provide one piece of identification  
26 pursuant to RCW 66.16.040;

27 (3) Require the purchaser to sign a sworn statement, under penalty  
28 of perjury, that:

29 (a) The purchaser is of legal age to purchase, possess, or use malt  
30 liquor;

31 (b) The purchaser will not allow any person under the age of  
32 twenty-one years to consume the beverage except as provided by RCW  
33 66.44.270;

34 (c) The purchaser will not remove, obliterate, or allow to be  
35 removed or obliterated, the identification required under RCW 66.28.220  
36 to be affixed to the container;

1 (4) Require the purchaser to state the particular address where the  
2 malt liquor will be consumed, or the particular address where the keg  
3 or other container will be physically located; and

4 (5) Require the purchaser to maintain a copy of the declaration and  
5 receipt next to or adjacent to the keg or other container, in no event  
6 a distance greater than five feet, and visible without a physical  
7 barrier from the keg, during the time that the keg or other container  
8 is in the purchaser's possession or control.

9 **Sec. 3.** RCW 66.28.220 and 1993 c 21 s 3 are each amended to read  
10 as follows:

11 The board shall adopt rules requiring retail licensees to affix  
12 appropriate identification on all containers of four gallons or more of  
13 malt liquor for the purpose of tracing the purchasers of such  
14 containers. The rules may provide for identification to be done on a  
15 state-wide basis or on the basis of smaller geographical areas.

16 The board shall develop and make available forms for the  
17 declaration and receipt required by RCW 66.28.200. The board may  
18 charge class E and class H licensees for the costs of providing the  
19 forms and that money collected for the forms shall be deposited into  
20 the liquor revolving fund for use by the board, without further  
21 appropriation, to continue to administer the cost of the keg  
22 registration program.

23 It is unlawful for any person to sell or offer for sale kegs or  
24 other containers containing four gallons or more of malt liquor to  
25 consumers who are not licensed under chapter 66.24 RCW if the kegs or  
26 containers are not identified in compliance with rules adopted by the  
27 board.

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